### State Burial Preservation Board Members

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Vacant Public Representative



State Burial Preservation Board PO Box 200101 Helena, MT 59620-0101

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### State Burial Preservation Staff Members

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## Tribal Law Enforcement

Blackfeet Reservation	(406) 338-4000
Crow Reservation	(406) 638-2957
Flathead Reservation	(406) 675-4700
Fort Belknap Reservation	(406) 353-2933
Fort Peck Reservation	(406) 768-5565
N. Cheyenne Reservation	(406) 477-8249
Rocky Boy's Reservation	(406) 395-4184
Little Shell Tribe	(406) 315-2400*

\*Little Shell Tribe Historic Preservation Office

This information will be made available in alternate formats upon request by calling (406) 444-3310.



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Updated: 10/25/2018

# STATE OF MONTANA

A Guide for Coroners, Local Law Enforcement, & Property Owners

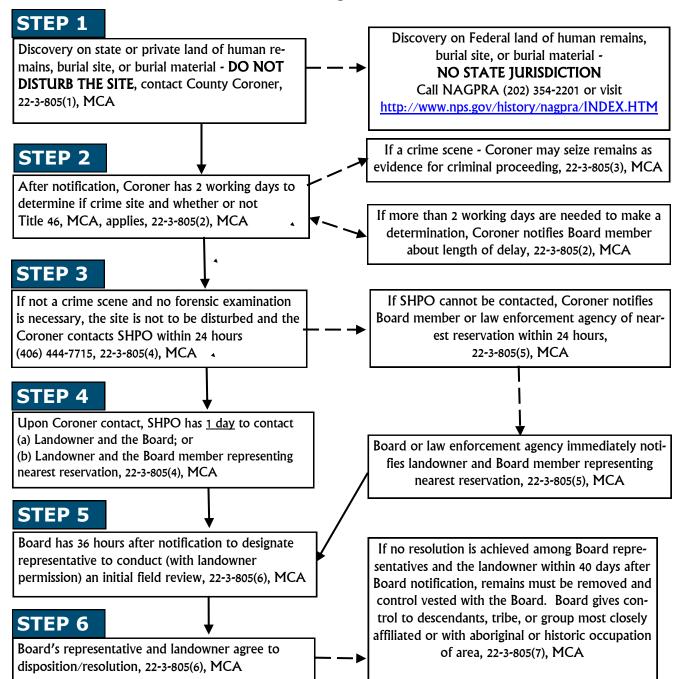
WHAT TO DO
WHEN A BURIAL
SITE OR HUMAN
SKELETAL
REMAINS ARE
FOUND ON
STATE OR
PRIVATE LANDS
IN MONTANA

#### If Native or Non-Native Human Remains or Burial Site are Discovered

- Cease all activity at the site and immediately call the County Coroner.
- 2. The Coroner may seize the remains if a criminal inquiry or inquest is warranted.
- 3. If the Coroner determines a coroner's inquiry or inquest is not warranted, the Coroner shall call the State Historic Preservation Office (SHPO), Stan Wilmoth, at (406) 444-7719 within 24 hours. If SHPO cannot be contacted, the Coroner will call the nearest member of the State Burial Preservation Board or law enforcement at the nearest Indian reservation.
- 4. Unless there is suspicion of a crime scene or the Board has made another finding, burial sites and human remains must be protected and preserved in place regardless of ethnic origin, burial context, or age of burial site.
- 5. All burial sites must be avoided (not physically disturbed) as a matter of law. Montana Code Annotated, Title 46, Chapter 4 (authority of coroners) does not authorize removal of remains solely for documentation of ethnicity or age or other study. Removal or disturbance of human remains other than in a coroner's inquiry/inquest should occur only after other alternatives (primarily preservation in place) have been considered by the Board.

# HUMAN SKELETAL REMAINS AND BURIAL SITE PROTECTION ACT PROCEDURES

22-3-801 through 22-3-811, MCA



A person may be assessed criminal and civil penalties for prohibited acts specified in the Human Skeletal Remains and Burial Site Protection Act. 22-3-808, MCA.